anticipated) to substantially degrade, decompose or depolymerize prior to, during or after use. This exclusion includes polymers with such properties after disposal, for example, in a waste water treatment plant. A similar exclusion was made a part of the original TSCA exemption rule[1]. This provision is present in the amended rule, because it is not feasible for EPA to anticipate all possible breakdown products that could result from polymers otherwise eligible, and it is therefore not possible for EPA to define precisely in advance which polymers with this property are intrinsically safe. Polymers that otherwise satisfy all the criteria of the TSCA exemption, may still be intrinsically safe even if they are designed or reasonably anticipated to break down prior to, during, or after use, depending upon the extent to which they break down and the nature of any persistent bread-down products.

Kuraray America, Inc. conducted tests on the stability of the VF-HH-4 polymer and it was found not to biodegradable under the test conditions.

v. *High molecular weight, water-absorbing polymers*. Water-absorbing polymers are excluded from eligibility for the amended TSCA exemption. A water-absorbing polymer is defined as one ''that is capable of absorbing its own weight of water'' and has a number-average molecular weight (NAMW) equal to or greater than 10,000. As discussed in the preamble of the amended polymer exemption rule[2], the exclusion is intended primarily to address concerns for ''super absorbent'' polymers or ''super slurpers''. The exclusion responds to information received under section 8(e) of TSCA for a water-absorbing polyacrylate. The polymer in question had a NAMW of about 1,000,000 and could absorb about 100 times its own mass of water. EPA set the exclusion two orders of magnitude below these levels. ''Super slurpers'' have the capacity to absorb 60 to 100 times their own mass of water, yet not dissolve. Clearly, polyvinyl acetate, carboxyl-modified, sodium salt does not fall within this exclusion because it dissolves in water rather than absorbing it[3].

[1] 49 FR 46066 (November 21, 1984)

[2] 60 FR 16319-16320 (March 29, 1995).

[3] In the **Federal Register** notice that established a broad generic exemption from tolerance for acrylate polymers, described earlier in this volume. EPA's Office of Pesticide Programs stated: ''Water soluble (sic) polymers in this molecular weight range [≥10,000 daltons] are excluded from the exemption under Sec. 723.250(d)....'' 61 FR 6550-6551. The second time in the same notice that EPA/OPP mentions these polymers, they are called ''highly water-absorbing,'' a correct interpretation of the exclusion. Water-absorbing polymers are not water-soluble.

3. *Conditions: 40 CFR 723.250(e)*—i. *Polymers of 1,000 > molecular weight >10,000*. To qualify for the exemption, polymers in the molecular weight range, 1,000 > MW >10,000 must also always have a molecular weight distribution such that there is less than 25% with molecular weights below 1,000 and less than 10% with molecular weights below 500. Both criteria must be simultaneously met. In addition, polymers that meet the molecular weight conditions of (e)(1) are subject to important reactive functional group limitations.

Polyvinyl acetate, carboxyl-modified, sodium salt has a number average molecular weights above 10,000 and does not fall within condition (e)(1).

ii. *Polymers with molecular weight ≤ 10,000*. Under conditions (e)(2), polymers with molecular weights of 10,000 or greater must have oligomer contents of less than 5% with molecular weights less than 1,000 and less than 2% with molecular weights less than 500. The properties of polyvinyl acetate, carboxyl-modified, sodium salt, supported by GPC molecular weight data, satisfies this condition, as summarized below:

Typical number-average molecular weight = 52,260

Maximum oligomer contents = 0.0% > 500, 0.0% > 1,000

F. Conclusions on the TSCA Polymer Exemption Criteria

Based on conformance to the criteria described above for TSCA polymer exemption, a chemical can be anticipated to have no mammalian toxicity from dietary, inhalation or dermal exposure. In the case of polyvinyl acetate, carboxyl-modified, sodium salt, polyvinyl acetate, hydrolyzed, carboxylate-modified sodium salt, conformance with all the criteria can be demonstrated. Additionally, this substance has been through the PMN review process and is listed on the TSCA Inventory. It is noted that an exemption from tolerance has already been established for a closely related WSP polymer, polyvinyl acetate, hydrolyzed, CASRN 25213-24-5.

Based on the conformance of polyvinyl acetate, carboxyl-modified, sodium salt to the definition of a polymer given in 40 CFR 723.250(b), as well as the criteria that are used to identify low risk polymers, EPA can conclude that there is a reasonable certainty that no harm to the U.S. population will result from non-dietary exposures to it.

G. International Tolerances

There are no Codex Alimentarius Commission (Codex), Canadian or Mexican residue limits for polyvinyl acetate, carboxyl-modified, sodium salt.

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ENVIRONMENTAL PROTECTION AGENCY

[PF–828A; FRL–6054–9]

Rohm & Haas Co.; Correction of Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of a correction.

SUMMARY: EPA is correcting a pesticide petition (PP 7F4894) from Rohm and Haas Company which was published in the **Federal Register** of September 30, 1998.

FOR FURTHER INFORMATION CONTACT: By mail: Mark Dow, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. Office location and telephone number: Rm. 214, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, Virginia 22202, (703) 305–5533; e-mail: Dow.mark@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of September 30, 1998 (63 FR 52260)(FRL 6023–7), EPA issued a notice of filing of a pesticide petition (PP 7F4894) from Rohm and Haas Company. The notice of filing inadvertently proposed a tolerance for residues of triazamate; ethyl (3-tert-butyl-1-dimethylcarbamoyl–1*H*–1,2,4-triazol-5-ylthio) acetate in or on the raw agricultural commodity apples at 0.1 parts per million (ppm). The petition that Rohm and Haas Company submitted requested a tolerance for pome fruits at 0.1 ppm. Therefore all references to apples in ''PF–828'', should be changed to read ''pome fruits''.

List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and record keeping requirements.

Dated: January 8, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 99–1248 Filed 1–19–99; 8:45 am]

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